

**A CONFIRMING RESOLUTION designating an
"Economic Revitalization Area" under I.C. 6-1.1-12.1 for
property commonly known as the Southwest Quarter of
Section 32, Township 30 North, Range 12 East of the
Second Principal Meridian in Allen County, Fort Wayne,
Indiana 46809 (Miller Valentine Partners of Indiana)
(AMENDED)**

WHEREAS, Common Council has previously designated and declared by Declaratory Resolution the following described property as an "Economic Revitalization Area" under Section 153.02 of the Municipal Code of the City of Fort Wayne, Indiana, of 1993, as amended and I.C. 6-1.1-12.1, to wit:

Attached hereto as "Exhibit A" as if a part herein; and

WHEREAS, said project will create 30 full-time, permanent jobs for a total additional payroll of \$600,000, with the average new annual job salary being \$20,000; and

WHEREAS, the total estimated project cost is \$3,200,000; and

WHEREAS, recommendations have been received from the Committee on Finance; and

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been conducted on said Resolution; and

WHEREAS, said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39. The Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation contingent upon a fully executed agreement between the Fort Wayne Redevelopment Commission and Miller Valentine Partners of Indiana.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, the Resolution previously designating the above described property as an "Economic Revitalization Area" is confirmed in all respects.

SECTION 2. That, the hereinabove described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and shall terminate on December 31, 2005.

1 **SECTION 3.** That, said designation of the hereinabove described property as an
2 "Economic Revitalization Area" shall apply to a deduction of the assessed value of real estate
3 as determined by the Fort Wayne Redevelopment Commission Resolution 97-30.

4 **SECTION 4.** That, the estimate of the number of individuals that will be employed
5 or whose employment will be retained and the estimate of the annual salaries of those
6 individuals and the estimate of the value of redevelopment or rehabilitation, all contained in
7 Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably
8 expected to result from the proposed described redevelopment or rehabilitation.

9 **SECTION 5.** The current year approximate tax rates for taxing units within the
10 City would be:

11 (a) If the proposed development does not occur, the approximate current year tax
12 rates for this site would be \$9.2453/\$100.

13 (b) If the proposed development occurs and no deduction is granted, the
14 approximate current year tax rate for the site would be \$9.2453/\$100 (the
15 change would be negligible).

16 (c) If the proposed development occurs, and a deduction percentage of fifty percent
17 (50%) is assumed, the approximate current year tax rate for the site would be
18 \$9.2453/\$100 (the change would be negligible).

19 **SECTION 6.** That, pursuant to I.C. 36-7-14-39, it is hereby determined that the
20 deduction from the assessed value of the real property shall be determined in a resolution
21 aproved by the Fort Wayne Redevelopment Commission.

22 **SECTION 7.** The benefits described in the Petitioner's Statement of Benefits can be
23 reasonably expected to result from the project and are sufficient to justify the applicable
24 deductions.

25 **SECTION 8.** For real property, a deduction application must contain a performance
26 report showing the extent to which there has been compliance with the Statement of Benefits
27 form approved by the Fort Wayne Common Council at the time of filing. This report must be
28 submitted to the Allen County Auditor's Office, and the City of Fort Wayne's Department of
29 Economic Development and must be included with the deduction application. For
30 subsequent years, the performance report must be updated within sixty days after the end of
each year in which the deduction is applicable.

SECTION 9. The performance report must contain the following information

A. The cost and description of real property improvements.

B. The number of employees hired through the end of the preceding calendar year
as a result of the deduction.

1 C. The total salaries of the employees hired through the end of the preceding
2 calendar year as a result of the deduction.

3 D. The total number of employees employed at the facility receiving the deduction.

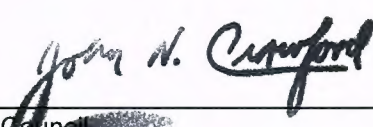
4 E. The total assessed value of the real property deductions.

5 F. The tax savings resulting from the real property being abated.

6 **SECTION 10.** That, the taxpayer is non-delinquent on any and all property tax due
7 to jurisdictions within Allen County, Indiana.

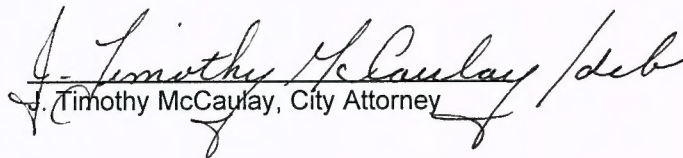
8 **SECTION 11.** That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that
9 has received a deduction under section 3 or 4.5 of this chapter may be required to repay the
10 deduction amount as determined by the county auditor in accordance with section 12 of said
11 chapter if the property owner ceases operations at the facility for which the deduction was
12 granted and if the Common Council finds that the property owner obtained the deduction by
13 intentionally providing false information concerning the property owner's plans to continue
14 operation at the facility.

15 **SECTION 12.** That, this Resolution shall be in full force and effect from and after its
16 passage, any and all necessary approval by the Mayor, and the completion of a fully
17 executed agreement between the Fort Wayne Redevelopment Commission and Miller
18 Valentine Partners of Indiana. Should the agreement not be executed, the deduction shall
19 not take place.

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Member of Council

APPROVED AS TO FORM A LEGALITY

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J. Timothy McCaulay, City Attorney

Read the first time in full and on motion by Crawford,
and duly adopted, read the second time by title and referred to the Committee on
Finance, (and the City Plan Commission for recommendation)
and Public Hearing to be held after due legal notice, at the Common Council Conference
Room 128, City-County Building, Fort Wayne, Indiana, on Tuesday,
the 22nd day of July, 19 97, at 1:30
o'clock P.M., E.S.T.

DATED: 7-8-97

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Delmick,
and duly adopted, placed on its passage. PASSED LOST
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>9</u>			
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS	<u>✓</u>			
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			

DATED: 7-22-97

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,
as (ANNEXATION) _____ (APPROPRIATION) _____ (GENERAL) _____ (SPECIAL) _____

(ZONING) _____ ORDINANCE _____ RESOLUTION NO. R-43-97

on the 22nd day of July, 19 97

ATTEST: Sandra E. Kennedy SEAL Thomas P. Helmke
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the
23rd day of July, 19 97,
at the hour of 2:30 o'clock P.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 26th day
of July, 19 97, at the hour of 4:00
o'clock P.M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

LEGAL DESCRIPTION

7.234 ac tract
Dalman Road

Part of the Southeast Quarter of Section 32, Township 30 North, Range 12 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

Commencing on the centerline of Dalman Road at a brass plug marking the Southwest Corner of said Southeast Quarter; thence North 89 degrees 56 minutes 10 seconds East (adjoining deed and adjoining plat bearing), a distance of 784.81 feet along the South line of said Southeast Quarter and centerline of said Dalman Road to its intersection with the Northerly extension of the East right-of-way line of Avionics Drive as set forth in the plat of Baer Field Industrial Park, Section I and recorded in Plat Cabinet "C" page 134 in the Office of the Recorder of Allen County, Indiana; thence North 00 degrees 03 minutes 50 seconds West, a distance of 60.00 feet along the Northerly extension of said right-of-way line to a 5/8" steel rebar w/ Karst I.D. cap set on the Northerly right-of-way-line of said Dalman Road, said point being the Point of Beginning of the herein described tract; thence continuing North 00 degrees 03 minutes 50 seconds West, a distance of 460.00 feet continuing along said Northerly extension of said right-of-way line to a 5/8" steel rebar w/ Karst I.D. cap set; thence North 89 degrees 56 minutes 10 seconds East, a distance of 685.00 feet parallel with the South line of said Southeast Quarter to a 5/8" steel rebar w/ Karst I.D. cap set; thence South 00 degrees 03 minutes 50 seconds East, a distance of 460.00 feet parallel with said Northerly extension of said Avionics Drive to a 5/8" steel rebar w/ Karst I.D. cap set on northerly right-of-way-line of said Dalman Road; thence South 89 degrees 56 minutes 10 seconds West a distance of 685.00 feet along said northerly right-of-way-line to the Point of Beginning, containing 315,100.000 square feet or 7.234 acres, more or less. subject to easements of record

Prepared by
Karst Surveying Services, Inc
July 1, 1997


Richard K. Karst PLS No. 80040561





East right-of-way line
of new street

New street to be
constructed by Seller

Tuthill Corporation

685'
"Option Premises"
(approx. 14.5 ac.)

920'

685'
Exhibit A "Premises"
(approx. 7.25 ac.)

460'

Daiman Road

United
Supply

Block

Lot 16
3.4 AC

Lot 17
5.2 AC

Lot 15
7.5 AC

Lot 21
3.5 AC

Lot 20
1.7 AC

Lot 19
1.6 AC

Lot 18
2.0 AC

Lot 2
3.2 AC

Lot 3
2.5 AC

Lot 23
1.4 AC

Lot 24
1.4 AC

Lot 25
1.8 AC

Lot 9
5.6 AC

Lot 8
3.9 AC

Lot 14
7.0 AC

Lot 22
5.9 AC

Lot 27
2.0 AC

Lot 26
2.2 AC

Lot 10
16.3 AC

Lot 13
5.8 AC

Lot 12
5.5 AC

Lot 11
5.0 AC

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WHEREAS, the total estimated project cost is \$3,200,000; and

WHEREAS, recommendations have been received from the Committee on Finance; and

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been conducted on said Resolution; and

WHEREAS, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, The Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

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Part of the Southeast Quarter of Section 32, Township 30 North, Range 12 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

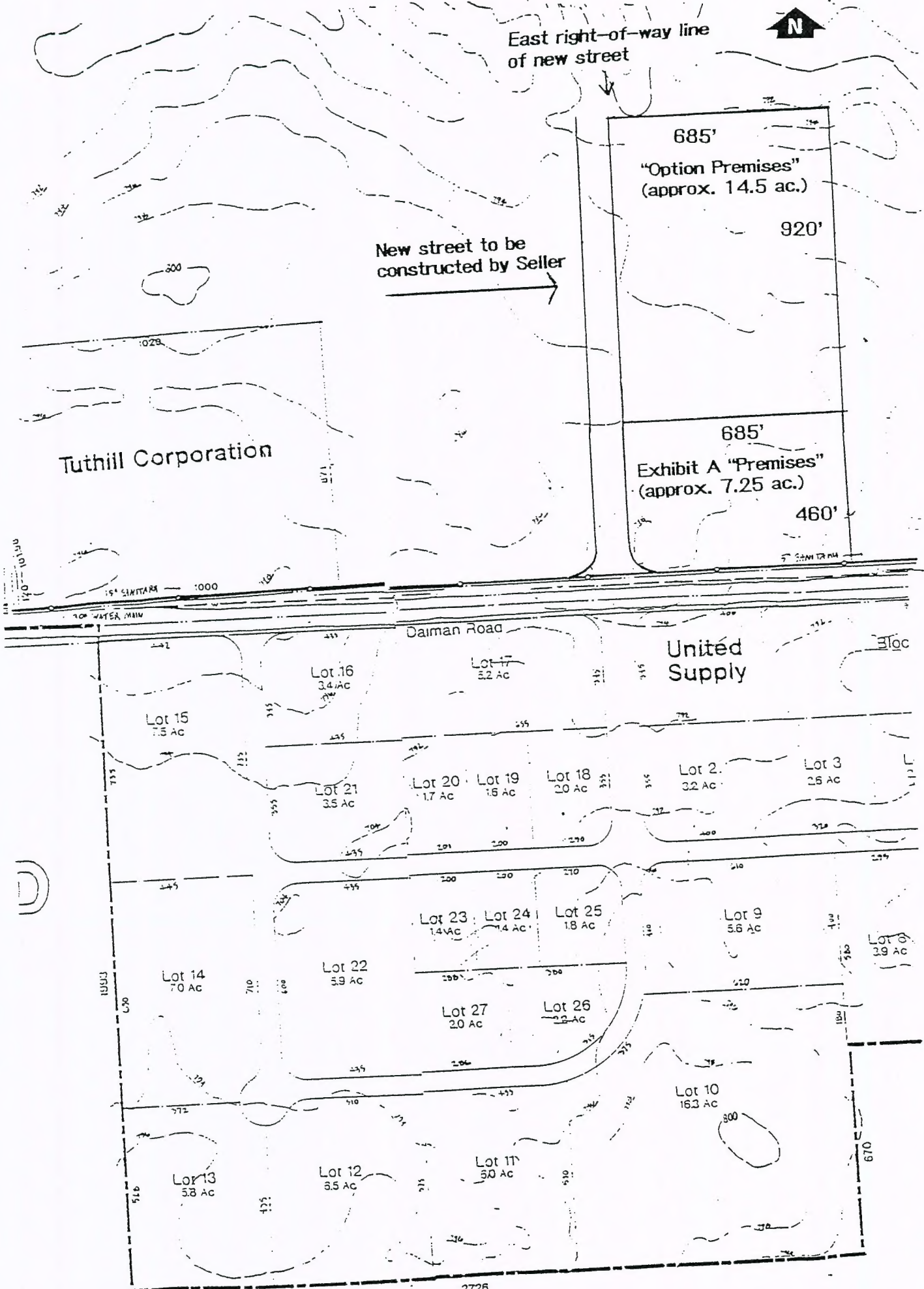
Commencing on the centerline of Dalman Road at a brass plug marking the Southwest Corner of said Southeast Quarter; thence North 89 degrees 56 minutes 10 seconds East (adjoining deed and adjoining plat bearing), a distance of 784.81 feet along the South line of said Southeast Quarter and centerline of said Dalman Road to its intersection with the Northerly extension of the East right-of-way line of Avionics Drive as set forth in the plat of Baer Field Industrial Park, Section I and recorded in Plat Cabinet "C" page 134 in the Office of the Recorder of Allen County, Indiana; thence North 00 degrees 03 minutes 50 seconds West, a distance of 60.00 feet along the Northerly extension of said right-of-way line to a 5/8" steel rebar w/ Karst I.D. cap set on the Northerly right-of-way-line of said Dalman Road, said point being the Point of Beginning of the herein described tract; thence continuing North 00 degrees 03 minutes 50 seconds West, a distance of 460.00 feet continuing along said Northerly extension of said right-of-way line to a 5/8" steel rebar w/ Karst I.D. cap set; thence North 89 degrees 56 minutes 10 seconds East, a distance of 685.00 feet parallel with the South line of said Southeast Quarter to a 5/8" steel rebar w/ Karst I.D. cap set; thence South 00 degrees 03 minutes 50 seconds East, a distance of 460.00 feet parallel with said Northerly extension of said Avionics Drive to a 5/8" steel rebar w/ Karst I.D. cap set on northerly right-of-way-line of said Dalman Road; thence South 89 degrees 56 minutes 10 seconds West a distance of 685.00 feet along said northerly right-of-way-line to the Point of Beginning, containing 315,100.000 square feet or 7.234 acres, more or less. subject to easements of record

Prepared by
Karst Surveying Services, Inc
July 1, 1997

Richard K. Karst

Richard K. Karst PLS No. 80040561





Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE: Confirming Resolution

DEPARTMENT REQUESTING ORDINANCE: Department of Economic Development

SYNOPSIS OF ORDINANCE: This is to confirm the designation of an Economic Revitalization Area for Miller Valentine Partners of Indiana for real property improvements in the amount of \$3,200,000. Miller Valentine will build a speculative, multi-tenant light industrial warehouse facility intended to attract multiple business entities.

EFFECT OF PASSAGE: The effect of passage is the potential creation of 30 new jobs. Passage would also allow for the creation of a speculative, light industrial warehouse facility available for new businesses. Such a speculative facility has been determined by local realtors as necessary for the economic vitality of the community.

EFFECT OF NON-PASSAGE: The effect of non-passage is the loss of 30 jobs, and the continued lack of available light manufacturing and warehouse space for potential new businesses.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): No expenditures of public funds required.

ASSIGNED TO COMMITTEE (PRESIDENT): John Crawford

BILL NO. R-97-07-07 *(as amended)*

REPORT OF THE COMMITTEE ON FINANCE

DONALD J. SCHMIDT - JOHN N. CRAWFORD - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS
REFERRED AN ~~(ORDINANCE)~~ (RESOLUTION) confirming resolution
designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for
property commonly known as the Southwest Quarter of Section 32, Township
30 North, Range 12 East of the Second Principal Meridian in Allen County
Fort Wayne, Indiana 46809 (Miller Valentine Partners of Indiana)

HAVE HAD SAID ~~(ORDINANCE)~~ (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
~~(ORDINANCE)~~ (RESOLUTION) _____

DO PASS

DO NOT PASS

ABSTAIN

NO REC

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

DATED: 7-22-97.

Sandra E. Kennedy
City Clerk

NOTICE OF PUBLIC HEARING
FORT WAYNE
COMMON COUNCIL

(RESOLUTIONS NO. R-97-07-06 AND R-97-07-07)

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA, APPROVED A RESOLUTION ON 7-8-97,
DATE
DESIGNATING PROPERTY AT Southwest Quarter of Section 32, Township
30 North, Range 12 East of the Second Principal Meridian in Allen
County, Fort Wayne, Indiana 46809 (Miller-Valentine Partners of
Indiana)

AN ECONOMIC REVITALIZATION AREA. A DESCRIPTION OF THE AFFECTED
AREA CAN BE INSPECTED IN THE COUNTY ASSESSOR'S OFFICE.

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER
THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND
CONFIRMED OR RESCINDED ON Tuesday, July 22, 1997, at 5:30 P.M.,

DATE, TIME & PLACE
City-County Bldg., Room 128 Common Council Conference Room, 1st Floor,
Fort Wayne, Indiana

IF CONFIRMED, SAID DESIGNATING SHALL CONTINUE FOR ONE (1)
YEAR AFTER CONFIRMATION.

ALL INTEREST PERSONS ARE INVITED TO ATTEND AND BE HEARD
AT THE PUBLIC HEARING.

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN
DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND
FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION"
SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219)427-1120, TTY
(219)427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE
MEETING.

SANDRA E. KENNEDY
CITY CLERK



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

July 9, 1997

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of July 12, 1997, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill Nos. R-97-07-07 & R-97-07-07
Bill Nos. R-97-07-08 & R-97-07-09
Bill Nos. R-97-07-10 & R-97-07-11
"Economic Revitalization Areas"

Please send us 3 copies of each of the above the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne

ENCL: 1

FW COMMON COUNCIL

(Governmental Unit)

To:

The Journal-Gazette

Dr.

ALLEN

County, Indiana

P.O. Box 100

Fort Wayne, IN

PUBLISHER'S CLAIM**LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

49 lines, 1 columns wide equals 49 equivalent lines
at .364 cents per line

\$ 17.84

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 18.84**DATA FOR COMPUTING COST**Width of single column 12.5 emsNumber of insertions 1Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: JULY 12, 19 97Title: Clerk**PUBLISHER'S AFFIDAVIT****NOTICE OF PUBLIC HEARING
FORT WAYNE
COMMON COUNCIL**

(RESOLUTIONS NO. R-97-07-06 AND R-97-07-07)
NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, APPROVED A RESOLUTION ON 7-8-97

DESIGNATING PROPERTY AT Southwest Quarter of Section 32, Township 30 North, Range 12 East of the Second Principal Meridian in Allen County, Fort Wayne, Indiana 46809 (Miller-Valentine Partners of Indiana)

AN ECONOMIC REVITALIZATION AREA. A DESCRIPTION OF THE AFFECTED AREA CAN BE INSPECTED IN THE COUNTY ASSESSOR'S OFFICE.

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED OR RESCINDED ON Tuesday, July 22, 1997, at 5:00 P.M.

City-County Bldg. Room 128 Common Council Conference Room, 1st Floor, Fort Wayne, Indiana

IF CONFIRMED, SAID DESIGNATING SHALL CONTINUE FOR ONE (1) YEAR AFTER CONFIRMATION.

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"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATIONS" SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219) 427-1120, TTY (219) 427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK
#465010

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L SMITH who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time 7-12-97, the dates of publication being as follows:

Subscribed and sworn to before me this 12th day of JULY, 19 97.

Notary Public

MARY L SCHNEIDER
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY

My commission expires:

MY COMMISSION EXP JUNE 14, 2001

FW COMMON COUNCIL
(Governmental Unit)

ALLEN County, Indiana

To: The News-Sentinel
P.O. Box 100
Fort Wayne, IN

Dr.

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I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: JULY 12, 19 97

Title: Julie L. Smith Clerk

PUBLISHER'S AFFIDAVIT

NOTICE OF PUBLIC HEARING
FORT WAYNE
COMMON COUNCIL

(RESOLUTIONS NO. R-97-07-06 AND R-97-07-07)
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SANDRA E. KENNEDY
CITY CLERK
#465016

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L SMITH who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time , the dates of publication being as follows:
7- 12-97
Julie L. Smith

Subscribed and sworn to before me this 12 th day of JULY, 19 97.

MARY L SCHWEIDER
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP JUNE 14, 2001

Notary Public

My commission expires: